

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
EDNA IGARTUA,

Plaintiff,

-against-

DEPARTMENT OF SOCIAL SERVICES,

Defendant.
-----X

EDNA IGARTUA,

Plaintiff,

-against-

ADMINISTRATION OF CHILDREN SERVICES
and CHILD PROTECTIVE SERVICE,

Defendants.
-----X

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JAN 26 2010

P.M.
TIME A.M.

**ORDER
AND
JUDGMENT**

09-CV-4356 (ENV)

VITALIANO, United States District Judge:

Pro se plaintiff Edna Igartua filed the above-captioned complaints on September 28, 2009 and November 18, 2009. By Order dated December 11, 2009, the Court granted her requests to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915, but dismissed both complaints pursuant to 28 U.S.C. § 1915(e)(2)(B). In light of plaintiff's *pro se* status, the Court gave plaintiff the opportunity to file an amended complaint within 30 days. More than 30 days have passed and plaintiff has not filed an amended complaint.

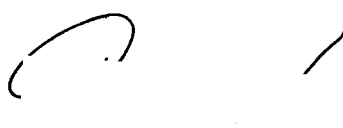
Accordingly, both captioned cases are dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B) and for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(h)(3). The Clerk is directed to close these cases.

clm

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 920-21 (1962).

SO ORDERED.

Dated: Brooklyn, NY
January 25, 2010


ERIC N. VITALIANO
United States District Judge